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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,318	12/08/2003	Bong Jin Jeon	327-002	5077
33354	7590	02/27/2006	EXAMINER	
ETHERTON LAW GROUP, LLC			EKONG, EMEM	
5555 E. VAN BUREN STREET, SUITE 100			ART UNIT	PAPER NUMBER
PHOENIX, AZ 85008				2688

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/731,318	JEON, BONG JIN	
	Examiner EMEM EKONG	Art Unit 2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 December 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 08 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____ .                                  |

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments filled on 12/06/05 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claims 1-3, 5-9, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 5,874,889 to Ray Higdon (Higdon) et al. in view of U.S Publication No. 2001/0019603 A1 to McMahon**

**Regarding claim 1, Higdon discloses a method for providing security to a transceiver user (abstract, see figures 1 and 2, and col. 1 line 10-col. 2 line 18):**

unless the computer is instructed otherwise by the transceiver user, transmitting information from the computer to an emergency service provider after the period of time has elapsed (see figure 1, col. 2 lines 13-17, and col. 5 line 44-col. 6 line 11).

However, Higdon fails to specifically disclose transmitting information including a period of time, from a transceiver to a computer.

McMahon discloses transmitting information including a period of time, from a transceiver to a computer (pars. 0004, 0014 and 0017).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Higdon, and have information including a period of time, to be transmitted from a transceiver to a computer as disclosed by McMahon for the purpose of sending out an alerting signal after a preprogrammed user specified time as elapsed.

**Regarding claim 2, the combination of Higdon and McMahon discloses the method of claim 1 wherein an alert is transmitted from the computer to the transceiver when the period of time has elapsed (col. 6 lines 6-10).**

**Regarding claim 3, the combination of Higdon and McMahon discloses the method of claim 1 wherein the transceiver user must transmit a personal identification number in order to prevent transmission between the computer and the emergency service provider (col. 5 lines 60-63, and col. 7 lines 5-10).**

**Regarding claim 5, the combination of Higdon and McMahon discloses the method of claim 1 wherein the transceiver is a cell phone (see claim 5).**

**Regarding claim 6, the combination of Higdon and McMahon discloses the method of claim 1 wherein the information further comprises text data (col. 1 lines 44-45, and col. 3 lines 56-59).**

**Regarding claim 7, the combination of Higdon and McMahon discloses the method of claim 1 wherein the information further comprises voice data (col. 3 lines 60-64).**

**Regarding claim 8, the combination of Higdon and McMahon discloses the method of claim 1 wherein the information further comprises a visual image (col. 2 lines 12-18, and col.3 line 34).**

**Regarding claim 9, the combination of Higdon and McMahon discloses the method of claim 1 wherein the information further comprises the transceiver's location (col. 4 lines 10-15).**

**Regarding claim 11, Higdon discloses an apparatus for alerting an emergency service provider of an emergency (abstract, see figures 1 and 2, and col. 1 line 10-col. 2 line 18),**

means (i.e. memory, controller) for receiving from a transceiver information which includes a user personal identification number (col. 4 lines 7-15, col. 4 lines 30-33, col. 4 lines 41-43, and col. 5 lines 44-48);

means (controller) for transmitting to the transceiver an alert after the period of time has elapsed (col. 5 line 45-col. 6 line 10); and

means (controller) for transmitting to the emergency service provider the information if the period of time has elapsed and the user's personal identification number has not been received (figures 1, and 5, col. 6 line 6-11, col. 6 lines 25-30, and col.7 lines 2-10 ).

However, Higdon fails to disclose means for receiving from a transceiver information, which includes a user specified period of time.

McMahon disclose means for receiving from a transceiver information which includes a transceiver user specified period of time (pars. 0004, 014 and 0017, i.e. call server).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Higdon, and have means for receiving from a transceiver information which includes a transceiver user specified period of time as disclosed by McMahon for the purpose of sending out an alerting signal after a preprogrammed user specified time as elapsed.

**Regarding claim 12, the combination of Higdon and McMahon discloses the apparatus of claim 11 wherein the means for receiving is a computer (controller) (see figure 2, col. 5 line 1-2, and col. 8 lines 13-32).**

**Regarding claim 13, the combination of Higdon and McMahon discloses the apparatus of claim 11 wherein the means (controller) for transmitting an alert and the means (i.e., wireless transceiver, cellular transceiver) for transmitting the information are telecommunications devices (col. 6 lines 6-10).**

**Regarding claim 14, the combination of Higdon and McMahon discloses the apparatus of claim 11 wherein the period of time is embodied in a code (col. 5 line 45-48).**

4. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Higdon in view of McMahon as applied to claim 1 above, and further in view of U.S Patent No. 5,223,844 to Paul Mansell (Mansell) et al..**

Regarding claim 4, the combination of Higdon and McMahon discloses the method of claim 1. However, the combination fails to disclose wherein the transceiver user must initiate a second transmission of information to the computer in order to prevent transmission between the computer and the emergency service provider.

Mansell disclose wherein the transceiver (mobile unit) user must initiate a second transmission of information to the computer(control center) in order to prevent

transmission between the computer and the emergency service provider (see figure 1, and col. 6 line 66- col. 7 line 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination with the teaching of Mansell for the purpose of requesting user confirmation before an action are taken.

5. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mansell in view of Higdon, and further in view of McMahon.

**Regarding claim 10, Mansell discloses** a method for providing security to a cell phone user (abstract, col. 2 lines 26-60) comprising:

entering information into a cell phone by pressing a series of keys, the information comprising in encoded form (keys) (col. 2 lines 39-60, col. 10 line 61-col. 11 line1, col. 13 lines 24-25, and col. 20 lines 20-30),

at least one telephone number connecting to a computer server (control center) (see figure 1, and col. 2 lines 25-35 ),

transmitting the information from the cell phone to the computer server (control center) (col. 2 lines 26-54, and col. 6 lines 61-66);

receiving a call on the cell phone from the computer server (col. 17 lines 40-col. 18 line 22, and col. 19 lines 30-34, control center sends an ACK signal back to the mobile unit microcomputer/control center calls the mobile unit in response to mobile units transmission of alarm condition or request for assistance); and

unless the cell phone user answers the call, transmitting a message from the computer server to an emergency service provider, wherein the message comprises at least one of the following (col. 7 lines 16-25, and col. 8 lines 34-39):

a request for help;

location data acquired by utilizing at least one of the following,

global positioning systems (col. 7 lines 16-25), geographic information system, automatic number identification system, automatic location identification systems, or the cell phone user; text data; voice data, or a visual image, and wherein the emergency services provider is at least one of the following (see figure 1), law enforcement, fire department, paramedics, or military.

However, Mansell fails to disclose unless the cell phone user enters a predetermined personal identification number into the cell phone, transmitting a message from the computer server to an emergency service provider.

Higdon discloses unless the cell phone user enter a predetermined personal identification number into the cell phone, transmitting a message from the computer server to an emergency service provider (see figure 1, col. 2 lines 12-15, and col. 5 line 56-col. 6 line 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Mansell, and have the cell phone user enter a predetermined personal identification number into the cell phone, and transmitting a message from the computer server to an emergency service provider as

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disclosed by Higdon for the purpose of varying alarm signal to be legit before transmitting alarm signal to emergency service provider.

However, the combination of Mansell and Higdon fails to specifically disclose a cell phone user specified period of time; and receiving a call on the cell phone from the computer server after the period of time has elapsed.

McMahon discloses a cell phone user specified period of time; and receiving a call on the cell phone from the computer server after the period of time has elapsed (pars. 0004, 0014 and 0017).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination with the teaching of McMahon for the purpose of scheduling and generating an alert signal after user predetermined time has elapsed.

6. **Claims 15-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 4,978,946 to Ken Nordholm (Nordholm) et al. in view of McMahon.

**Regarding claim 15, Nordhom discloses** an apparatus for providing security to a user of a first means for transmitting, comprising (abstract):

a) first means (first portable unit) for transmitting information which includes a user personal identification number (see figure 2, col. 1 lines 60-68, col. 2 lines 1-41, col. 3 lines 15-20, col. 3 lines 51-64, col. 4 lines 7-15, col. 5 lines 28-29, col. 5 lines 44-48, col. 6 lines 9-33, and col. 10 lines 30-68); and

b) first means (transceiver in the second portable unit) for receiving an alert after the period of time has elapsed (col. 6 lines 9-33, and col. 7 lines 53-55).

However, Nordhom fails to specifically disclose transmitting information which includes a user specified period of time.

McMahon discloses a user specified period of time (pars. 0004, 014 and 0017).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Nordhom, and have the user specified period of time as taught by McMahon for the purpose of providing an alert after a user's predetermined period of time.

**Regarding claim 16, the combination of Nordhom and McMahon discloses**  
the apparatus of claim 15 wherein the first means (first portable unit) for transmitting and the first means (second portable unit) of receiving are separate devices (Nordhom, see figure 11).

**Regarding claim 17, the combination of Nordhom and McMahon discloses**  
the apparatus of claim 16 wherein the first means (second portable unit) for receiving is a cell phone (second portable unit) (Nordhom, see figure 11, col. 2 line 5-10).

**Regarding claim 18, the combination of Nordhom and McMahon discloses**  
the apparatus of claim 15, wherein the period of time is embodied in a code (Nordhom, col. 6 lines 23-25, encoded alarm state information).

**Regarding claim 19, Nordhom discloses the apparatus of claim 15 further comprising:**

The apparatus of claim 15 further comprising:

a) second means for receiving (other units in the system), from the first means for transmitting (radio transmitter in first portable unit), information which includes a user specified period of time and the user's personal identification number (col. 5 lines 25-30, and col.6 lines 22-33);

b) second means for transmitting (i.e. position and motion sensor), to the first means for transmitting (radio transmitter in first portable unit), an alert that the period of time has elapsed (see figures 1,2,3,4,5 and 6, col. 5 lines 6-28, and col.6 lines 22-33); and

c) third means for transmitting (central station), to an emergency service provider, the information if the period of time has elapsed and the user's personal identification number has not been received (col. 5 lines 6-28, and col.6 lines 22-33).

However, Nordhom fails to specifically disclose a user specified period of time; and third means for transmitting, to an emergency service provider.

McMahon discloses a user specified period of time (pars. 0004, and 0014); and third means for transmitting, to an emergency service provider (par. 0017, schedule reminder sends text file to call control).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Nordhom with the teaching of McMahon

for the purpose of providing security to a user by generating alarm signals to an emergency service provider without an intruder's knowledge.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH FEILD can be reached on 571 272 4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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02/13/06

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